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09/974,588	10/09/2001	Kelan C. Silvester	INTL-0674-US (P12992)	7108
7590	02/26/2004		EXAMINER	
Timothy N. Trop TROP, PRUNER & HU, P.C. 8554 KATY FWY, STE 100 HOUSTON, TX 77024-1805			CHIANG, JACK	
			ART UNIT	PAPER NUMBER
			2642	2
DATE MAILED: 02/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/974588	Applicant(s) <i>K. C. S;ilvester</i>
Examiner <i>J. Chiang</i>	Group Art Unit 2642
# 2	

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE - 3 - MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- Responsive to communication(s) filed on 10/09/01 + Interview on 2/17/04.  
 This action is FINAL.  
 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- Claim(s) 1-25 is/are pending in the application.  
Of the above claim(s) 4-10, 14-19, 23, 25 is/are withdrawn from consideration.  
 Claim(s) \_\_\_\_\_ is/are allowed.  
 Claim(s) 1-3, 11-12, 20-22, 24 is/are rejected.  
 Claim(s) \_\_\_\_\_ is/are objected to.  
 Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - All  Some\*  None of the CERTIFIED copies of the priority documents have been received.
  - received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

### Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  Interview Summary, PTO-413
- Notice of References Cited, PTO-892  Notice of Informal Patent Application, PTO-52
- Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

## Office Action Summary

**RESTRICTION**

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Specie 1, claims 3, 12, 24, the module is a display;

Specie 2, claims 4, 13, the module is a processor;

Specie 2, claims 5, 14, 25, the module is a memory;

Specie 3, claims 6, 15, the module is an Ethernet adapter;

Specie 4, claims 7, 16, 23, the module is an application processor;

Specie 5, claims 8, 17, the compartment on the front face;

Specie 6, claims 9, 18, the compartment beneath a battery;

Specie 7, claims 10, 19, the compartment at one end.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1, 11 and 21 are generic (claims 2, 20 and 22 are grouped with their independent claims).

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. During a telephone conversation with Mr. Timothy N. Trop on 02-17-04 a provisional election was made without traverse to prosecute the invention of Specie 1, claims 3, 12, 24 (along with their base claims 1-2, 11, 20, 21, 22). Affirmation of this election must be made by applicant in replying to this Office action. Claims 4-10, 13-19, 23 and 25 have been withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

## CLAIMS

### **112 Rejection**

3. Claim 21 recites the limitation "said processor" in last line. There is insufficient antecedent basis for this limitation in the claim.

### **Art Rejection**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 11-12, 20-22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Buhrmann et al. (US 5854984).

Regarding claim 1, Buhrmann shows:

A housing (10);

A processor (col. 7, lines 34-48);

A compartment (60);

A sliding coupling (55) in the compartment (60) to slidably receive a removable module (5) and to couple the module to the processor (fig. 4).

Regarding claim 11, Buhrmann shows the steps of:

Providing a phone (10) including a compartment (60) to receive replaceable modules (5, col. 3, lines 9-14);

Providing a plurality of replaceable modules (5, col. 3, lines 9-14) having different capabilities that can be slid into the compartment.

Regarding claim 21, Buhrmann shows:

A housing (10);

A compartment (60) formed in the housing (10) to pluggingly receive a module (5);

An electrical connection (57, 80) between compartment and the processor (see fig. 4).

Regarding claims 2-3, 12, 20, 22, 24, Buhrmann shows:

The removable module (5) which is a display (see 45);

The plug-in connection (see 57, 80).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Chiang whose telephone number is 703-305-4728.

The examiner can normally be reached on Mon.-Fri. from 8:00 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 703-305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Application/Control Number: 09/974,588

Page 6

Art Unit: 2642

you have questions on access to the Private PAIR system, contact the Electronic  
Business Center (EBC) at 866-217-9197 (toll-free).



Jack Chiang  
Primary Examiner  
Art Unit 2642